FOR MYSORE STATE

Education (1952) Department.

G.O. NO. Rt 89 Educatio

Dated 5-3-52

closed

Sypdt.

[Despatch Abstract.]

Land Acquisition - (South Kanara) - Mangalore Taluk - Hosbettu village - Site for the Iddya Vidyadayini High School, Swrathkal - Declaration under section 6 of the Act - Published.

S.Kanara Collector's Office,
Mangalore dated 31.3.51.

To

SRI A.R.RAJARATNAM B.A.
Collector of South'Kanara.

The Secretary to Government,
Education Department,
Fort St. George Madras 9.
Through
The Secretary to the Board of Reven
Land Revenue, Chepauk Madras 5
(In duplicate)

Sir,

LAND ACQUISITION: Mangalore taluk--Hosbettu village--S.No.55/3A1- for construction of building for the Iddya Vidyadayini High school, Surathkal--draft declaration- submitted.

Ref: From the Government Education department G.O.Rt.No.296 Education dated 23.8.50.

The notification under section 4(1) of the Land Acquisition ac in this case was approved by the Government in G.O.Rt.No.296 Educati dated 23.8.50 and published at 572 of Part I B of the Fort St. George Gazette dated 5.9.50. The Secretary, Hindu Vidyadayini Sangha Surathkal applied for the acquisition of S.No. 55/3A1 of Hosabettu village of Mangalore taluk for the construction of Iddya Vidyadayini High school. The cost of the acquisition comes to Rs. 270-4-0. The draft conditions of alienation have been approved by the Government in their memo No.26821 B/50-2 Education dated 28.9.50.

2. Notices under section 4(1) and 5A of the Act were duly served on the interested parties. The nature of the objections are explained below:-

3. S.No.55/3A1 of Hosabettu village stands registered in the name of Dr.H. Laxminarayana Rao, Madras. The other two interested parties are (1) Sri H. Srinivas Rao brother of Dr.H. Laxminarayana Rao and (2) Sri H.N. Anantha Krishna Rao son of Sri H. Srinivas Rao. The plo in question was lying vacant and was devoid of improvements except for 35 casurina plants at the time the acquisition proposals were set afoot. The objections put forward are as follows:

1)That the plot is required for growing green manure leave for the 13 acres of wet lands owned by the family.

2)that it is required for growing sweet potatoes, horse gram and vegetables.

3) foundation for a house has been laid there.

4)Plenty of Government land is available.

5)The school has more land than it actually needs now.

6)the additional building for the school is under construction in the patta land owned by the school.

4. The Land Acquisition Officer, Mangalore who inspected the plot on 16.3.51 states that the petitioners have enough land elsewhere for purpose of growing green manure leaves and that the petitioners' plea that the plot is required for raising sweet potatoes is inconsistent with his statement that it is required for growing manure. Sweet potatoes etc cannot be grown on this kind of dry land which contains bushes here and there. A shed which has one room and a small verandah has been put up in the plot after the commencement of the Land acquisition proposals just to camouflage the issue. The petitioners have enough of building sites.

in the main block already put up. As the extension for which foundation has been put up contains provision for 5 class rooms thus bringing the total class rooms to 16 leaving still a shortage of 5 rooms, the school authorities are desirous of acquiring S.No.55/3A1 adjoining the existing buildings to put up two blocks of 2 rooms each at either end of the eastern wing to make up the shortage of the five rooms. Still there will be a shortage of one room. As other plots are not useful, the acquisition of the above plot is essential to provide additional accommodation for the school particularly in view of its present strength.

6. The objection that the proposed acquisition could deprive the objectors of access to their other lands is also not correct. Sufficient provision can be made for giving access to the petitioners lands to the south of the plot to be acquired. The objection is therefore frivolous. The school buildings should be in a compact block and not scattered, lest the supervision should become difficult The nearest plot suitable for constructing buildings is the one proposed for acquisition.

The District Educational Officer now states in his N.Dis.13458/E dated 31.1.51 copy enclosed that the acquisition is not called for as the foundation of the new building for which an advance grant of Rs.9000/- has been sanctioned has been already put up in the land belonging to the school. Enquiry shows that the application for land acquisition was submitted after the foundation of the extension referred to was put up and recommended by the District Educational Officer. I do not therefore think that there is any force now in the District Educational Officer's present stand that on account of the new building whose foundation has been laid, the proposed acquisition should be given up. In these circumstances, the acquisition of S.No.55/3A1 is considered essential for the school.

The Draft declaration ~~is~~ enclosed may be approved and kindly got published in the Fort St. George Gazette. The served copies the notices under sections 4(1) and 5A of the Act, the objection petitions with rough sketch and the topo sketch are enclosed for perusal and return.

Yours faithfully,

For Collector

NOTIFICATION.

Under section 6 of the Land Acquisition Act, His Excellency the Governor of Madras hereby declares that the plots specified below and measuring acre (1.00) one acre be the same, a little more or less, is needed for a public purpose, to wit for construction of buildings for the Iddya Vidyedayini High school, Surathkal and under section 3 and 7 of the same Act the Revenue Divisional Officer, Mangalore is appointed to perform the function of the Collector under the Act and directed to take order for the acquisition of the said land. A plan of the land is kept in the office of the Revenue Divisional Officer, Mangalore and may be inspected at any time during office hours.

SCHEDULE.

District: South Kanara.
Taluk: Mangalore
Village: No.51 Hosabettu
Description of land with S.No. Ryotwari Dry 55/3A1
Names of owner and occupier: 1.Sri H.Laxminarayana Rao residing at House No.292, Thambu Chetty street Madras (Registered holder)
2.Sri H. Srinivasa Rao Hosabettu(Enjoyer)Sri
3.H. Ananthakrishna Rao, Hosabettu (Enjoyer)
Boundaries: North: 53/1A, 164/3A2B,
East: 55/4, 53/1B, 55/3A2.
South: 55/3A2, 55/1
West: 55/1, 14/1, 169/3, 164/3B
Extent: 1.00

S.Kanara Collector's Office)
Mangalore dated 31.3.51.)
LC/3.4.51.

For Collector.

5 ✱ duplicate of 63.

Sub: Land acquisition- Mangalore taluk--Hosbettu village for purpose of Vidyadyainee High school, Surathkal.

Ref: N.Ref.D.1739-50 dated 13.11.50 of the Revenue Divisional Officer Mangalore.

Page 7--new ✱ for Dam.

Dis.No.13458 B/50 Dated 31.1.51.

Retransmitted to the Revenue Divisional Officer, Mangalore with the records.

2. In this office endorsement N.Dis.No.2995 B/48 dated 25.6.48 two plots of land in S,No.53/2/B and 55/3/A of Hosabettu village were recommended. But now it is found that plot S.No.53/2-B has been got negotiations by the Sangha.

3. In the present application of the school, plot S.No.55/3/A has been applied for acquisition. But the foundation of the new building already put up in the land belonging to the school and work is already progressing. Besides, an advance grant of Rs.9000/- has been sanctioned in respect of this building in the Director's proceedings R.C.No.103-D6/ dated 9.5.50. As such it may not be quote necessary for the school to acquire the plot now applied for for putting up the extention.

Sd/xx xx xx
Dt. Educational Officer, S.Kanara
21.1.51.

For Collector.

Revenue Department

Subject

LAND ACQUISITION - (South Kanara) - Mangalore Taluk - Hosabettu village S.No.55/3A, - for Construction of buildings for the Vidyadayami High School, Surathkal - Draft Declaration - Submitted.

...

Station: Madras Ref.I.2827/51-5 d/30-1-52.

From

Sri N.C. Thomas, B.A., Joint Secretary, Board of Revenue
Sri W.R.S. Mattianathan, I.C.S., Commissioner of Land Revenue

....

Read: South Kanara Collector's R.Dis.10720/50 dated 31-3-51
-do- 11976/51 " 7-7-51
-do- 22299/51 " 12-9-51
Board's Ref.I.2827/51-4 " 1-12-51
Collector, South Kanara Roc.B1. 30864/51 " 13-12-51

**

REFERENCE:

Submitted to the Government.

2. The buildings cannot be extended to the north as suggested by the Collector as S.No.169/3, land owned by the Sangha, is used for purposes of a playground and S.No.164/3B1, is also a Government land alienated to the school for the purpose of playground. Three separate playgrounds are necessary for the school - One for the Higher Ele. School, one for the High School boys and the 3rd a separate one for the grown-up girls of the High School. Hence, it is not good to curtail the extents now available for playgrounds by putting up constructions on them. There is also the further circumstance that there are urinals and latrines to the north in S.No.164/3B1, Nor can the building be extended on the west in front of the existing buildings, as it will mar the front view of the school. On the other hand S.No.55/3A1 on the east is contiguous to the existing buildings and is suitable for their extension in that direction. The Sangha proposes to include it in the draft revised schedule of lands and plans for construction to be presented to the Director of Public Instructions. The Board therefore considers that the acqusition of the land is necessary. If the level of the land is low as stated by the Collector, the Sangha will arrange to have it raised. The Board accordingly recommends that the objections to the acquisition may be over-ruled and that the Draft Declaration under section 6 of the L.A. Act submitted by the Collector of South Kanara with his letter first read above may be approved and ordered to be published in the Fort St. George Gazette.

for Joint Secretary

full particulars called for by the Board as also a written statement filed by Sri K.Rama Rao, Secretary, Hindu Vidyadayani, Sangha, Surathkal. The details of the objection are specified below:-

(B) (1) the land now at the disposal of the school has been shown in the sketch in yellow wash and the buildings are also shown in it. Portions occupied by Garden and topes have been shown in blue staples and the playground with red staples. Hindu Vidyadayani Sangha is running two educational establishments side by side viz. (a) Vidayadayani Higher Elementary School and (2)(b) Vidyadayani High School. The two institutions together have at present 14.38 acres at their disposal. This extent is being utilised as follows:-

1. Play ground (a) High School Play	
1. Boys'/ground	4-15 acres.
2. Girls Play ground	1-50 acres
(b) Vidyadayani Higher Elementary School Playground	1-75 acres
Total for playground	7-40 acres

II. Garden

(a) Coconut topes with full grown yielding trees	3.55 acres
(b) Horticultural garden	0.84 "
Total for garden	4.39 "
III. Buildings (Avenue, Fruit trees etc.	2.59
Grand total	14.38 acres

Portion of S.No.14/2 marked in red staples to the south-west of the school building is used for girls, the portion marked with red staples in S.No.169/3 for the Higher Elementary Section and S.No.166/2, 169/1B and 164/3A1 for the boys of the High School, as a playground. As regards coconut trees they have been in existence for nearly a decade in S.Nos.110/7B, 169/2B 164/3B and portion of S.No.169/3. S.No.53/2A1 was recently donated to the School by the donor concerned.

(2) I inspected the school and the grounds and buildings belonging to it. The blue print sketch submitted by the objection petitioner is incorrect and gives a totally wrong impression about the state of things on ground. The school buildings are situated on elevated place at least 30 feet from the road level and terraced. A flight of steps lead to the first terrance, and in two or three more places, there are steps leading to terraced portions of higher elevation. The school buildings consists of a court yard and class rooms all round and form a symmetrical unit. The small shed marked "X" in the sketch is found out of place and is proposed to be dismantled as soon as the blocks "Y" and "Z" are completed. Roofing alone remains to be done in these blocks. The building proposed to be constructed are marked in red. The plot marked blue in the sketch is the only plaee where the new buildings can be constructed if it should form a compact unit.

(3) S.No.14/2 which is shown as shembagam's patta lands in the blue print is 5-20 acres in extent. There is a badminton court for Girls in this block. The playground of the boys are on the other side and it is necessary to retain the Shanbhagam patta lands for girls for use as a playground as it is adjecent to the main block, and at some distance from the boys playground. Portion of S.No.14/2 measuring 2.13 acres is already in the enjoyment of the Sangha on mulageni right and acquisition of any portion of S.No.14/2 beyond the mulegani limits will be of no use to the school.

4) The new buildings cannot be constructed near the watchmen's (Peon's) quarters "D" in the toposketch or in any other open space elsewhere as the idea of the management is to have all the class rooms together in one compact block. This is conducive to better supervision. There are nice corridors and the whole building is well planned. The additions proposed on the land now under acquisition will fit in well with the existing planned scheme. It is for providing additional class rooms that this space is necessary and I consider that the acquisition of S.No.55/3A1 of Hosbettu village is quite necessary in the interest of the school

(5) It will be seen from the topo sketch now enclosed that there is no road intervening between the existing school grounds and the land proposed for acquisition. The previous Dt.Educational Officer and the Divisional Inspector of Schools have recommended the acquisition of the land now under acquisition proceedings. It is reported that Sri H.Rama Rao, the Dt. Educational Officer, now on leave is the younger brother of the objection petitioner Dr.H.Laxmaninarayana Rao and my personal inspection convinces me that there cannot be any reasonable objection to the acquisition of the land in question as it is the only place where the school buildings, according to the plans, the management has for its expansion, can be extended.

(6) The records received with the Board's reference cited are enclosed.

/true copy/

Copy of R.Dis.22299/51 dated 12-9-51 of the Collector of South Kanara dated 12-9-51to the Secretary, Board of Revenue, Madras.

....

Sub: Land Acquisition (South Kanara) - Mangalore Taluk - Hosbettu village - S.No.55/3A1 - for Iddya Vidyadayani High School - Draft Declaration - Further report - submitted.

Ref:From the Board of Revenue Ref.I.2827/51-2 dated 8-8-51.

**

I inspected the school buildings and the plot S.No. 55/3A1 of Hosbettu village, Mangalore Taluk, the acquisition of which is applied for by the Hindu Vidyadayinee Sangha, Surathkal for extending their buildings. The Manager of the School and an advocate on behalf of the petitioner were also present.

2. Regarding the present query of the Board, I find that the building referred to ie. the southern wing, is nearing completion; only the roofing has to be put up and this is expected to be completed by about March or April 1952. I enclose a booklet published by the School authorities in 1947 which gives the history of this institution. The plan of the buildings is given on page 1 of the booklet. The temporary structure put up and in which classes are now held is shown in pencil. This structure will be demolished as soon as the southern wing is completed why the construction of the southern wing is over. it will mean the completion of the original scheme, which the management had in view, for the accommodation of the students. I asked the Manager of the School what other items of work they propose to take up. He said that they first wanted to put up verandahs to Ramakrishna Mandir on three sides - North, East and South. There is sufficient space on all the three sides for this purpose. He also said that the management proposed to put up two more blocks X and Y as shown in the sketch in pencil on page 1 of the booklet and that it is for that purpose that S.No.55/3A1 of Hosbettu village is required.

3. In the first place, the construction of the two blocks X and Y are not proposed to be taken up immediately as the management has no funds, and secondly, this obviously is an

of buildings contemplated in 1946-47. If they require additional accommodation, they can draw new plans and estimates and embark on a new scheme of constructing additional blocks later on. Their plans for expansion can be altered and another new block constructed north of the present block in view of the difficulties expressed by the objection petitioner. As the management of the school will be completing the symetrical block they had already in view, by completing the southern wing, there is no need for acquiring any land at present. After a careful consideration of the necessity or otherwise for an acquisition in this case, I find that the school authorities have no good grounds to pass their claims for acquisition of any patta lands now.

/true copy/

Copy of Board's Ref.I.2827/51-4 dated 1-12-51 to the Collector of South Kanara.

....

Sub: Land Acquisition - (South Kanara) - Mangalore Taluk - Hosbettu village - S.No.55/3A1 - construction of buildings for the Vidyadayani High School - particulars.

Ref: South Kanara Collector's Ref.C.No.B1/30864/51 dated 21-11-51 Petition from the Manager and the Correspondent of the High School dated 29-11-51.

**

The petition of the Manager and Correspondent of the school presented to the Board is forwarded to the Collector of South Kanara for urgent remarks.

2) It is observed from the Collector's R.Dis.22299/51 dated 12-9-51 that he has recommended withdrawal from the acquisition of S.No.55/3A1 of Hosbettu village for the following reasons:-

(i) that the management has no funds
ii) that the constructions now proposed form a new scheme not contemplated in the original scheme of buildings of 1946-47 and
iii) that if the institution plans and expansion a new block can be constructed north of the present block.

The correspondent represents in his petition that the management has got enough funds to put up additional buildings immediately. There appears to be no reason to dis-believe this statement of the Sangha which is a registered body. Though the proposed expansion does not form part of the original scheme of buildings, the Correspondent states that he would apply to the D.P.I. for the approval of the plans of the proposed buildings as soon as orders for the acquisition of the site are passed. The Board observes that if the need of the institution for additional land is real, there can be no objection to pursue the proposed acquisition.

As regards the extension of the school buildings towards the north of the present block, the Secretary of the Sangha in his statement dated 2-6-51 before the Revenue Divisional Officer, has already represented that no expansion on the north is practicable as the lands are of various levels and contain a coconut tope besides. The Board doubts whether it would be practicable to make further expansion on the north in view of these circumstances. If as the Board believes the statements of the Manager and Correspondent of the Sangha are true, the Collector is requested to state why the acquisition should not be proceeded with as recommended by him in his letters R.Dis.10720/50 dated 31-3-51 and R.Dis.11976/51 dated 7-7-51. This should be treated urgent. pp 1-2 ant

/true copy/

Copy of Roc.B1-30864/51 dated 13-12-51 of the Collector of

contd....

South Kanara to the Secretary, Board of Revenue, Madras.

Sub: Land acquisition (South Kanara District) - Mangalore Taluk Hosbettu village - S.No.55/3A1 for the purpose of Vidhyadayini High School report
Ref: Board's Ref.I.2827/51-4 dated 1-12-51.

I enclose a rough sketch of the block of lands now at the disposal of the Vidhyadayini High School. It will be seen from it that it is an extensive block with sufficient place for playgrounds and for the construction of additional buildings. The present block of buildings is situated on an elevated piece of ground which slopes in front gradually towards the road. Behind it also is sloping ground and if any buildings are to be constructed in the piece of land marked yellow, the ground will have to be raised considerably. The building does not touch the boundary line of S.No.14/1 but there is space to a width of about 10 feet between the building and the boundary line.

2. There is no coconut tope to the north of the main building, but there are a few scattered coconut trees which will not come in the way of construction of buildings. There is not only sufficient space to the north of the main block of buildings but there is also ample scope there for expansion, whereas on the eastern side, except for adding a room, the remaining land does not afford scope for any expansion on account of the nature of the terrain. If the school management should think that it is immediately necessary to have some land behind the main block in order to put up any additional room, a strip of land to a width of about 25 feet as marked with dotted lines in the sketch in S.No.55/3A1 and a portion of S.No.55/1 hatched in ink may be acquired for the school for the reasons stated in my report R.Dis.22299/51 dated 12-9-51. It is unnecessary to acquire more land in S.No.55/3A1 for the reasons already stated by me.

3 The enclosures received with the Board's reference cited and topo sketch are resubmitted.

/true copy/

30.1.52

for Joint Secretary.

Secy. (Edn.)
Please put up. 1149 15/2

39 PHONE 37800

Dr. H. L. NARAYANA RAO,
PHYSICIAN & SURGEON
REGISTERED MEDICAL PRACTITIONER

292, THAMBU CHETTY ST.,

B

Madras, 14th Feby 1952

To

THE HON'BLE SRI A.B. SHETTY,
Minister in charge of Education,
Fort St. George.

MINISTER FOR AGRICULTURE
GOVERNMENT OF MADRAS
15 FEB 1952

SECRETARY
EDUCATION DEPARTMENT
16 FEB 1952
585

Sir,

Land acquisition - [illegible] Kanara)
Mangalore Taluk - Hosabettu Village -
G.O.Ms.No. [illegible] - S.A.1 - School purposes -
Objections from Dr.H.L.Narayana Rao,
Madras, and brothers - Withdrawal
from acquisition - Prayer.

I beg to submit this humble appeal in connection with a proposal to acquire about an acre of our family land for the alleged purpose of extension of a private school, viz., Iddya Vidyadayanee's High School, Surathkal.

2. From June 1948 onwards, at the instance of the Management of the High School, acquisition proceedings have been taken by the Government. At every stage we have been objecting to the acquisition. When the notification under Section 4(1) of the Act had been published by the Government and objections were invited, I submitted an objection petition to the Board of Revenue in July 1951, setting forth in sufficient detail our objections to the acquisition and pointing that there was no case for proceeding with the acquisition. The objections are briefly as follows:-

(1) The High School is already in possession of about 15 acres of land, part of which has been alienated to it by the Government for purposes of School Garden and Playground. This extent should serve amply for its immediate and prospective needs. Comparatively speaking, the School is lucky in having this extent.

Dr. H. L. NARAYANA RAO,
PHYSICIAN & SURGEON
REGISTERED MEDICAL PRACTITIONER

292, THA[illegible]

(2) The small extent of land required for any extension may be utilised from out of the extent alienated by the Government, after obtaining the formal approval of the Government.

(3) Even otherwise, there are other Poramboke lands and even private lands which are more suited for any extension.

(4) The application for acquisition is not bonafide.

(5) The land applied for is absolutely necessary for the needs of the petitioner and his family and there is no justification for depriving his family from the peaceful enjoyment of it.

3. The Collector of S.Kanara made a personal inspection of the site and made thorough enquiries. He was satisfied that there was not much of a case for acquisition and he seems to have recommended that the acquisition be dropped altogether, While the petitioner was expecting orders to this effect he was given to understand that the Board of Revenue had recommended acquisition, apparently as a matter of routine. The Board has not cared to make any inspection. Its finding can only be regarded as a case of "Non-sequitor". On the facts of the case as reported by the Collector, after personal inspection, there does not appear to be a shadow of justification to proceed with the acquisition. I beg to request that the proposal to acquire the land in question may be dropped; otherwise a grave injustice would have been perpetrated by the Government, in depriving

Dr. H. L. NARAYANA
PHYSICIAN & SURGEON
REGISTERED MEDICAL PRACTITIONER

402, THAMBU CHETTY ST.,
Madras, ... 195

me and my family of our fundamental rights under the Constitution. It may not be out of place to mention here the action of the Government in acquiring land for a private institution (Dr. Alagappa Chettiar's College) has been recently challenged in the High Court which has granted stay.

4. The matter has been pending over 4 years causing me much mental worry. I beg, therefore, to request you to direct the issue of early orders dropping the acquisition once for all.

Thanking you,

Yours faithfully,

Dr. Narain Rao

Dr. H. L. NARAYANA RAO
PHYSICIAN & SURGEON
REGISTERED MEDICAL PRACTITIONER
PHONE 3780
282 THAMBU CHETTY STREET
Madras

2 FEB 1952

1st Feb. 1952

The Hon'ble Ministe[illegible] for Land Revenue,
Government of Madras.

Sir,

[illegible]tion - (South Kanara [illegible] Taluk - Hosabetta village S.No.55/3.A.1 - School purposes - Objection from Dr.H.L.Narayana Rao, Madras and brothers - Withdrawal from acquisition - Prayer.

I beg to submit this humble appeal in connection with a proposal to acquire about an acre/of our family land for the alleged purpose of extension of a private Schoo viz., Iddya Vidyadayanee High School, Surathkal.

2. From June 1948 onwards, at the instance of the Management of the High School the acquisition proceedings have been taken by the Government. At every stage we have been objecting to the acquisition. When the notification under Section 4(1) of the Act had been published by the Government and objections were invited, I submitted an objection petition to the Board of Revenue, in July 1951, setting forth in sufficient detail our objections to the acquisition and pointing that there was no case for proceeding with the acquisition. The objections are briefly as follows:-

(1) The High School is already in possession of about 15 acres of land, part of which has been alienated to it by the Government for purposes of School Garden and Playground. This extent should serve amply for its immediate and prospective needs. Comparatively speaking, the School is lucky in having this extent.

PHONE 3120.

Dr. H. L. NARAYANA RAO,
PHYSICIAN & SURGEON
REGISTERED MEDICAL PRACTITIONER

292, THAMBU CHETTY ST.,
Madras, 195

2) The small extent of land required for any extension may be utilised from out of the extent alienated by the Government after obtaining the formal approval of the Government.

(3) Even otherwise, there are other poramboke lands and even private lands are more suited for any extension.

(4) The application for acquisition is not bonafide.

(5) The land applied for is absolutely necessary for the needs of the petitioner and his family and there is no justificati for depriving his family from the peaceful enjoyment of it.

3. The Collector of S.Kanara made a personal inspection of the site and made thorough enquiries. He was satisfied that there was not much a case for acquisition, and he seems to have recommended that the acquisition be dropped altogether. While the petitioner was expecting orders to this effect, he was given to understand that the Board of Revenue had recommended acquisition apparently as a matter of routine. The Board has not made any inspection so far as the petitioner is aware. Its finding can only be regarded as a case of "Non-sequitor". On the facts of the case as reported by the Collector, after personal inspection, there does not appear to be a shadow of justification to proceed with the acquisition. I beg to request that the proposal to acquire the land in question may be dropped; otherwise a grave injustice would have been perpetrated by the Government, in depriving me and my family of our fundamental rightsunder the Constitution.

Dr. H. L. NARAYANA RAO,
PHYSICIAN & SURGEON
REGISTERED MEDICAL PRACTITIONER

292, THAMBU CHETTY ST.,
Madras, ... 195

49

4. The matter has been pending over 4 years causing me much mental worry. I beg therefore to request that early orders may be issued dropping the acquisition once for all.

Thanking you,

Yours faithfully,

H L Narayana Rao

7385

Receipt.

To D.S.

Please see the petition on pages 1-3 above and the minutes of D.P.I.(S.R.) on page 1 above.

2. The connected file on the subject containing the Collr's report and his ~~views~~ Boards remarks was perused in this dept and returned to Edn vide Rc.No. 8901/52-1 Rc. dt 22.2.52. This may be sent to Edn. and they may be requested to circulate the petn to the D.P.I.(S.R.) also.

FIRST ASSISTANT SECRETARY
27 FEB 1952
EDUCATION DEPARTMENT

27/2/52

Rs 26/-

Rc. Edn Revns. 1002

Land Acquisition - (South Kanara) - Mangalore Taluk - Hosbettu village - Site for the Iddya Vidyadayini High School, Surathkal - Declaration under section 6 of the Act - Published.

Read :- G.O.Rt No. 296 Edn. dt. 23-8-51.
From the Collector of South Kanara., R. Dis. 10720/50 dt. 31-3-51
From the Board of Revenue., Ref. I. 2827/51-5 dt. 30-1-52.
From Br. H.L. Narayana Rao., petition dt. 14-2-52 and 21-2-52

Order No. 89 Edn. dated 5/3/52.
Rt

The Government agree with the Board of Revenue that the objections to the acquisition of certain sites for the Iddya Vidyadayini High School, Surathkal, may be over-ruled. The draft declaration under section 6 of the Land Acquisition Act, submitted by the Collector of South Kanara., is approved and forwarded to the S.G.P. for publication in the Fort St. George Gazette.

2. After possession is taken of the land and the acquisition proceedings are complete, the Collector is requested to issue an order alienating the land on the terms already agreed upon by the management of the school.

3/3/52 5/2

4.3.52

Land Acquisition — Mangalore Taluk — Hosbettu village — Site for the Iddya Vidyadayini High School Surathkal — Draft declaration.

Read G.O. Rt. No. 296 Edn. dt. 23-8-50

From the Collector of South Kanara R. Dis 10720/50 dt 31-3-51

From the Board of Revenue Rel I 28227/51-5 dt 30-1-52

In G.O. Rt. No. 296 Edn dt 23-8-50, the Govt approved the proposals of the Collector of South Kanara for the acquisition of certain sites for the Iddya Vidyadayini High School Surathkal. The draft notification under section 4(1) of the Land Acquisition Act was also approved and forwarded to the S.G.P. for publication in the Fort St. George Gazette.

2. During the enquiry conducted under section 5 A the Act, objection petitions were filed by the interested parties viz Dr. H. Laxminarayana Rao, Madras, his brother and nephew. The petitioners main grounds of objection were

(i) that the plot in question was required for growing green manure, sweet potatoes, and horsegram and vegetables

(ii) that the foundation for the construction of a house was already laid in the plot;

(iii) that Govt land was available in the locality;

(iv) that the management had more lands than it needs and (v) that the buildings proposed to be put up were already under construction in the lands owned by the management. The Collector of South Kanara after considering the proceedings of the enquiry held that the acquisition of the site in question was essential for the school particularly in view of its need for additional accommodation on account of the growing strength. He therefore recommended that the objections to the acquisition might be over-ruled. Since then he has revised his views in the matter and has now reported that it will be possible for the management to extend the existing buildings of the School on the northern side which is owned by the management. He therefore considers that there is no strong case for proceeding with the acquisition. The Board of Revenue through whom it

the proposals have been submitted, have examined the matter carefully. The Board considers the acquisition of the lands necessary for extending the school. The Bd. is of the view that the school buildings cannot be extended ~~By~~ on the Northern side as suggested by the Collector. ~~The only area which is contiguous to the school buildings where the~~ It also reports that ~~the extension can~~ Buildings can not be constructed on ~~any~~ the land ~~owned~~ owned by the management. For the extensions to be contiguous to the existing buildings, it is necessary that ~~the~~ they are to put up on the site proposed to be acquired. In the circumstances ~~it~~ the Board recommends that the objections to the acquisition may be overruled and the draft declaration under section 6 of the Act approved and ordered to be published. It is for orders whether the recommn of the Bd. may be accepted.

2. The remarks of Revenue may be invited U.O prior to circulation.

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has carefully examined the objections to the proposal and has recommended that the objections may be over ruled and the draft declaration under Section 6 of the Land Acquisition Act may be approved and ordered to be published in the Fort St. George Gazette It is proposed to accept the recommendation of the Board and over rule the objections raised to the acquisition. Revenue have agreed to the proposal of this Dept.

In the meantime Dr. H.L. Narayana Rao, in whose name the lands in question stand registered, has submitted petitions to the Govt. objecting the proposed acquisition. The objections raised in the petitions were already put forward before the Revenue Officials who conducted the enquiry under the Land Acquisition Act. A similar representation was also made to the Board of Revenue which has, however, ~~recommended~~ recommended that the objections may be over ruled and that the acquisition may be proceeded with. In the circumstances explained it is for orders whether the Board's view may be accepted and the objections to the acquisition over-ruled.

3. The file may be circulated to H.M(Agri) and H.M(L.R) for orders

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